

**DISTRICT COURT OF GUAM
TERRITORY OF GUAM**

United States of America,

Plaintiff,

vs.

Koo's 108,

Defendant.

Civil Case No. 1:06-cv-00029

SCHEDULING NOTICE

Mikel W. Schwab
Suite 500, Sirena Plaza
108 Hernan Cortez Avenue
Hagatna, GU 96910

The Local Rules establish procedures for complying with Rules 16(b) and 26(f) of the Federal Rules of Civil Procedure. Counsel should study the Local Rules before attempting to process cases in this Court.

Pursuant to Local Rules 16.1 and 16.2, it is hereby ORDERED that:

1. Counsel of record and all pro se litigants that have appeared in the case must meet and confer, within fifteen (15) days after receipt of this Notice, but no later than sixty (60) days after the filing of the complaint, prior to commencing discovery.
2. A proposed Scheduling Order and a proposed Discovery Plan shall be lodged on or before **12/18/2006**. Careful and immediate attention should be given to the directions in Local Rules 16.1 and 16.2 to ensure complete and timely compliance with Federal Rules 16(b) and 26(f), and the Local Rules.
3. Counsel for the plaintiff, or if the plaintiff is pro se, then the pro se plaintiff, must take the lead in the preparation of the Scheduling Order. If a defendant is not contacted by a pro se plaintiff within the required time frame, the defendant's counsel shall contact the pro se plaintiff and arrange a meeting to comply with this Rule in the appropriate time frame. The failure of a party or its counsel to participate in good faith in the framing of a Scheduling Order may result in the imposition of sanctions.

4. Counsel of record and all pro se litigants that have appeared in the case are jointly responsible for submitting a Proposed Discovery Plan to the Court.

5. A Scheduling Conference shall be held on **Wednesday, January 3, 2007 at 10:00 AM in the 3rd Floor Chambers.**

6. Counsel are reminded that:

- a) The filing of motions does not postpone discovery.
- b) Local Rule 37.1 governs discovery disputes and motions.
- c) The number and form of interrogatories are governed by Local Rule 33.1.
- d) Discovery documents and certificates of service shall not be filed with the Clerk until there is a proceeding in which the document or proof of service is in issue.

Dated: November 20, 2006

/s/Mary L.M. Moran
Clerk of Court